

LAW OFFICES  
FARRAR & BATES, L.L.P.

J. Russell Farrar  
William N. Bates  
Kristin Ellis Berexa  
Teresa Reall Ricks  
Molly R. Cripps  
Mary Byrd Ferrara\*  
Robyn Beale Williams  
Jennifer Orr Locklin  
P. Andrew Wright, Jr.

211 Seventh Avenue North  
Suite 420  
Nashville, Tennessee 37219

Telephone 615-254-3060  
Facsimile 615-254-9835  
E-Mail: fblaw@farrar-bates.com

Of Counsel

H. LaDon Baltimore  
Joseph S. Reeves III  
Gregory E. Seheff, Sr.

REC  
REGULAT  
02 APR 30 PM 1 02

OFFICE OF THE  
EXECUTIVE SECRETARY

\*Also licensed in KY

April 30, 2002

David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

RE: Complaint of KMC Telecom, III, Inc. and KMC Telecom V, Inc. Against United  
Telephone Southeast, Inc.; Docket No. 01-00964

Dear Mr. Waddell:

Enclosed are two copies of KMC's Second Set of Data Requests to United Telephone Southeast, Inc. The original has been forwarded to James Wright, counsel for United Telephone Southeast, Inc. Please date stamp one copy and return it to me in the self-addressed, stamped envelope also enclosed.

Thank you for your assistance. If you have any questions, please do not hesitate to contact me.

Sincerely,



H. LaDon Baltimore

LDB/dcg  
Enclosures

cc: James Wright, Esq.  
John McLaughlin  
Gordon Polozola, Esq.

PASTED  
4/30/02

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**AT NASHVILLE, TENNESSEE**

IN RE:	)	Docket No. 01-00964
	)	
COMPLAINT OF KMC TELECOM III,	)	
INC. AND KMC TELECOM V, INC.	)	
	)	
Against	)	
	)	
UNITED TELEPHONE	)	
SOUTHEAST, INC.	)	

---

**SECOND SET OF DATA REQUESTS OF KMC TELECOM III, INC. AND  
KMC TELECOM V, INC. TO UNITED TELEPHONE SOUTHEAST, INC.**

---

Complainants, KMC Telecom III, Inc. and KMC Telecom V, Inc. (hereinafter collectively "KMC"), hereby propound the following data requests to United Telephone Southeast, Inc. ("Sprint") to be answered in a manner consistent with the Rules of the Tennessee Regulatory Authority and within the 20-day time period established in this proceeding.

**I. DEFINITIONS AND INSTRUCTIONS**

1. For the purposes of these data requests, the following definitions shall apply:  
"Documents" is used in the broadest sense and includes all tangible things that record information. "Documents" includes both the original and any copy or draft, and all copies which contain any notation not on the original. Examples of "documents" include, but are not limited to, handwritten, typed or printed papers, handwritten notations, office notes, calendar entries, diaries, notes of telephone conversations, photographs, reports, receipts, invoices, memoranda,

correspondence, notes, ledger entries, workpapers and computer printouts, cards, tapes, disks, and other means of electronically or magnetically maintained information.

"Identify" means (1) when used with reference to a natural person, give the person's full name, business or residence address, business or residence telephone number, occupation and employer; (2) when used with reference to an entity, give the entity's full name, address and telephone number; (3) when used with reference to a document, give the document's date, title, author, recipient, type (e.g., letter, memorandum, note, etc.), name of the custodian of the document, and a description of the contents with sufficient specificity to be the basis for discovery; and (4) when used with reference to an action taken by an entity, identify the person(s) taking the action, describe the nature of the action, and give the date on which the action was taken. If any action identified pursuant to (4) involved a communication with another person, identify the person(s) with whom the actor(s) communicated; and, if the communication was through the use of a document, identify the document through which the communication was made.

"Person" includes a natural person, partnership, joint venture, firm, corporation, association, organization, or any other type of business or legal entity.

"CLEC" means a competitive local exchange carrier.

"ILEC" means an incumbent local exchange carrier.

"LEC" means a local exchange carrier, including but not limited to CLECs and ILECs.

"Sprint" means United Telephone Southeast, Inc., its affiliates or Sprint Divisions.

"KMC" means KMC Telecom III, Inc. and/or KMC Telecom V, Inc.

2. If the answers to any of the following data requests could be provided through the production of existing documents within Sprint's possession or control, or within the possession or

under the control of any of its representatives, including its attorneys, KMC will accept such production in lieu of written answers to any such data requests.

3. Provide the names, addresses and positions of each person responsible for preparing each of the answers to the following data requests, and for each person providing information used in the preparation of each answer.

4. If you maintained that any document or record which refers to or relates to anything about which these data requests ask or that would be responsive to any of the data requests has been destroyed, set forth the contents of said document, the location of any copies of said document, the date and circumstances of said destruction and the name of the person who ordered or authorized such destruction.

5. In answering these data requests, furnish all information and responsive documents in the possession of Sprint or in the possession of any director, officer, employee, agent, representative, or attorney of Sprint.

6. If you cannot answer any data request in full after exercising due diligence to secure all the information requested, or do not have precise information with regard to any part of a data request, you should so state, describing in full your efforts to obtain the information requested, and then proceed to answer to the fullest extent possible.

7. When the information requested by a data request varies over time, state the response for each period of time as to which the response differs, and identify the time periods applicable to each portion of the response.

8. Where the data requested, including but not limited to cost studies and related information, is or can be made available on CD ROM, please provide the documentation on CD ROM.

Where both public and proprietary versions of said cost studies exist, please provide both public and proprietary versions of all cost studies.

9. Where Sprint believes a document that is responsive to these data requests is protected by attorney-client privilege, a privilege log listing the date of the document, title, author, recipients, type (e.g., letter, memorandum, note, etc.), name of the custodian of the document, and a description of the contents with sufficient specificity to be the basis for analyzing Sprint's claim of privilege should be provided.

## **II. DATA REQUESTS**

1. Please identify the corporate entities and/or divisions for Sprint that have any responsibility or oversight in providing preordering, ordering, provisioning, maintenance and repair, operational support systems, collocation for competitive local exchange carriers operating in Tennessee. In so identifying, specify which entity and/or division has responsibility over the specific identified task (for example, which entities and/or divisions have responsibility or supervision over the preordering function, over the ordering function, etc.).
2. For each of the entities and/or divisions identified in response to Data Request No. 1, please list the officers of such entity and/or division.
3. Describe the responsibility of the Local Telecommunications Division, including any responsibility the LTD has over ensuring compliance with the Telecommunications Act of 1996.

4. Identify the officers of the Local Telecommunications Division.
5. Identify all corporate entities and/or divisions that report to the Local Telecommunications Division.
6. Identify the corporate entities and/or divisions to which the Local Telecommunications Division reports.
7. Describe the responsibilities of the Network Exchange Access Center.
8. Identify the officers of the Network Exchange Access Center.
9. Identify all corporate entities and/or divisions that report to the Network Exchange Access Center.
10. Identify the corporate entities and/or divisions to which the Network Exchange Access Center reports.
11. Specifically describe the responsibility of the Network Exchange Access Center over IRES.
12. Describe the responsibilities of the Business Markets Organization.
13. Identify the officers of the Business Markets Organization.
14. Identify all corporate entities and/or divisions that report to the Business Markets Organization.
15. Identify the corporate entities and/or divisions to which the Business Markets Organization reports.
16. Identify the responsibility of the employees of the Business Markets Organization over pre-ordering, ordering, provisioning, maintenance and repair, operational support

systems and/or collocation for competitive local exchange carriers operating in Tennessee.

17. Describe the responsibilities of the Sprint United Management Corporation, Inc.
18. Identify the officers of the Sprint United Management Corporation, Inc.
19. Identify all corporate entities and/or divisions that report to the Sprint United Management Corporation, Inc.
20. Identify the corporate entities and/or divisions to which the Sprint United Management Corporation, Inc. reports.
21. Identify the corporate entity or division of Sprint that is responsible for Sales and Account Management.
22. Identify the officers of the corporate entity and/or division identified in response to Data Request No. 21.
23. Identify all corporate entities and/or divisions that report to the corporate entity or division identified in response to Data Request No. 21.
24. Identify the corporate entity or division of Sprint that is responsible for carrier relations with Competitive Local Exchange Carriers operating in Tennessee.
25. Identify the officers of the corporate entity and/or division identified in response to Data Request No. 24.
26. Identify all corporate entities and/or divisions that report to the corporate entity or division identified in response to Data Request No. 24.
27. Identify the Senior Manager of Regulatory Policy.

28. Is there an entity or division of Sprint identified as the Carrier Markets Organization?  
If so, describe the responsibility of the Carrier Markets Organization.
29. Identify the officers of the Carrier Markets Organization.
30. Identify all corporate entities and/or divisions that report to the Carrier Markets Organization.
31. Identify the corporate entities and/or divisions to which the Carrier Markets Organization reports.

### III. REQUESTS FOR PRODUCTION

1. Please produce any and all organizational charts identifying any of the entities and/or divisions or officers identified in the Data Requests above or that Sprint identifies in response to the Data Requests above for the years 1998 to the present.

Submitted by:



H. LaDon Baltimore, BPR #003836

**FARRAR & BATES, L.L.P.**

211 Seventh Avenue North, Suite 420

Nashville, TN 37219

(615) 254-3060

(615) 254-9835 FAX

J. Randy Young (La. Bar # 21958)

Gordon D. Polozola (La. Bar # 23900)

**KEAN, MILLER, HAWTHORNE, D'ARMOND,**

**McCOWAN & JARMAN, L.L.P.**

One American Place, Suite 1700

Post Office Box 3513 (70821)

Baton Rouge, Louisiana 70825

*Counsel to KMC Telecom*



John D. McLaughlin, Jr.  
Marva Brown Johnson, Esq.  
Scott A. Kassman, Esq.  
David Sered


**KMC TELECOM HOLDINGS, INC.**

1755 North Brown Road  
Lawrenceville, GA 30043  
(678) 985-7900  
(678) 985-6213 FAX

**Certificate of Service**

The undersigned hereby certifies that a true and correct copy of the foregoing has been mailed,  
postage prepaid, to the following, this 30<sup>th</sup> day of April, 2002.

James Wright, Esq.  
United Telephone Southeast, Inc.  
14111 Capitol Blvd.  
Wake Forest, NC 27587-5900

  
H. LaDon Baltimore